AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT	1. CONTRACT ID CODE	PAGE OF PAGES
		1 1

2. AMENDMENT/MODIFICATION NO.:	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	PROJECT NO. *(If applicable)*
0001	31 May 2002	W81W3G-2144-7550	

6. ISSUED BY	CODE	ADMINISTERED BY:	CODE
USAED-Baltimore District Contracting Division P.O. Box 1715 Baltimore MD 21203-1715	CA31		

8. NAME AND ADDRESS OF CONTRACTOR *(No., street, county, State and ZIP Code)*	(x)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED *(SEE ITEM 11)*
	X	10A. MODIFICATION OF CONTRACT/ ORDER NO. DACW31-02-R-0033
		10B. DATED *(SEE ITEM 13)* 28 MAY 2002
CODE	FACILITY CODE	

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

X The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers __ is extended **X** is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA *(If required)*

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: *(Specify authority)* THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER No. ITEM 10A
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES *(such as changes in paying office, appropriation date, etc.)* SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR43.103(b)
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER *(Specify type of modification and authority)*

E. IMPORTANT: Contractor _X_ is not, __ is required to sign this document and return ____copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION *(Organized by UCF section headings, including solicitation/contract subject matter where feasible.)*

Section C of Solicitation DACW31-02-R-0033 is hereby deleted and replaced with the attached Section C.

The contract specialist for this action is Del Sutton. He can be reached at 410-962-5641 or email delmar.w.sutton@nab02.usace.army.mil.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect

15A. NAME AND TITLE OF SIGNER *(Type or print)*		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR BY _____ *(signature of person authorized to sign)*	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY _____ *(Signature of Contracting Officer)*	16C. DATE SIGNED

TABLE OF CONTENTS

APPENDICES

Appendix A. SOP for Closure Reports
Appendix B. DCPS Facility Abatement Summary
Appendix C. Contractor Worker Certification Log
Appendix D. Work Order Log

ENVIRONMENTAL MANAGEMENT AND REMEDIATION CONTRACT

C.1. DESCRIPTION OF WORK:

The Contractor shall provide hazardous material remediation, construction oversight and management services to the United States Army Corp of Engineers (USACE) District of Columbia Public School (DCPS) asbestos management and capital improvement program. The Contractor shall furnish all personnel, materials, and equipment/facilities necessary to conduct investigations, oversee and assist in the coordination of subcontractors and USACE abatement contractors, provide administrative support and conduct remedial and removal designs and provide remedial action services, as needed.

All work shall be accomplished within North Atlantic Division Mission Area, and shall comply with all applicable federal/state/local laws, regulations, and guidance. Work to be accomplished under this contract shall be issued by the Government to the performing contractor in task orders. Requirements will be delineated in the individual task order scopes of work. Task orders will be issued on a cost reimbursement basis .

C.2. SCOPE OF WORK (SOW):

Work to be issued under this contract will involve sites/facilities containing or believed to be containing hazardous materials (e.g., asbestos, lead, polychlorinated biphenyls (PCB)) regulated under the Toxic Substances Control Act (P.L. 94-469, as amended) and hazardous chemicals as defined by Federal laws. The predominant work under this contract will be the management of the Asbestos-Containing Materials (ACMs) as identified under the Asbestos Hazard and Emergency Response Act (AHERA) regulations. Under this contract, the Contractor shall be responsible for performing remedial investigation and design (utilizing existing asbestos management plans (AMPs), hazardous material abatement, environmental monitoring, subcontracing remediations, and oversight of subcontractors and USACE contractors.

Work may also include the above-identified requirements relating to other hazardous material such as lead-based paint, PCBs and hazardous waste and materials. The Contractor shall to be able to provide hazardous waste abatement services for abandoned chemicals that are occasionally found in the Washington DC public school system. These services include hazardous waste categorization, temporary storage and disposal.

The Contractor shall provide for the restoration of abated materials. This is defined as restoration to materials and equipment directly related to the abatement action. Restoration is required many times immediately following the abatement of asbestos due to fire code violations and safety issues relating to the materials being removed. Examples of restoration requirements include the installation of thermal system insulation (TSI), floor tile, ceiling tile, lighting and repainting of damaged surfaces.

The Contractor shall provide administrative support. Tasks include attending meetings, providing daily/weekly schedules, reviewing and compiling contractor abatement closure reports, coordinating all hazardous material abatement activities and providing cost tracking reports.

The Contractor shall provide the following personnel, as necessary, in support of this contract:

Project manager
Procurement specialists
Project control engineer
Restoration superintendent
Abatement superintendent
Assistant abatement superintendent
Project engineer-scheduler/coordinator
Contractor Quality Control Safety manager
AHERA designers
QC/health and safety inspectors
Health and safety manager (part-time)
Records management supervisor
Records management support personnel
Hazardous waste specialists

The Contractor shall be required to:

(i) conduct investigations,
(ii) perform remedial designs and actions,
(iii) perform removal actions,
(iv) oversee asbestos and lead-based paint abatement contractors,
(v) subcontract asbestos and lead-based paint removal and remedial actions,
(vi) conduct lead-based paint abatement services,
(vii) subcontract or conduct construction services for restoring sites to acceptable conditions,
(viii) conduct or subcontract removal or remedial actions for hazardous substances other than lead or asbestos (e.g., abandoned high school chemical labs or PCBs),
(ix) provide industrial hygiene support,
(x) subcontract industrial hygiene oversight; and
(xi) provide administrative support.

The work under this SOW is in the Washington DC public school system. The field work and construction activities may have to occur when school facilities are undergoing renovation or when school is not in session. Work hours while school is in session are normally between 1430 and 2400 hours. In case of emergencies, work may be

conducted 24 hours a day. Work hours while school is not in session during spring and summer breaks may be conducted during normal business hours as defined in the task order

The Contractor needs to be aware that the USACE will expect the Contractor to execute work, on an as needed basis, at any time or on any day.

Work to be conducted under this contract may include emergency activities, which may require the Contractor to respond immediately (within 3 hours) to stabilize threats from hazardous substances to the health and safety of DCPS employees and students.

Work to be issued under task orders may include, but may not be limited to, the types of activities outlined below.

C.2.1. Data Collection and Analysis: Data collection and analysis may include, but is not limited to development of sampling plans and procedures; historical data collection and analysis; air sample collection; physical/chemical sample analysis; data analysis, independent sample collection and analysis to verify findings of others and development of documents reporting findings.

C.2.2. Development of Plans and Procedures: Plans and Procedures may include, but not be limited to, Work Management Plans, Contractor Quality Control Plans, Health and Safety Plans, Asbestos Abatement Plans, Restoration Plans, Field Sampling and Analysis Plans, Chemical Data Analysis Plans, Waste Management Plans, Property Management Plans, permit applications, shop drawings, specifications, and as-built drawings.

C.2.3. Removal or Remedial Actions: Removal or remedial actions may include, but not be limited to, the planning and conduct of removal or remedial actions involving toxic material/wastes (e.g., asbestos, lead, PCBs). This may include, but may not be limited to the removal, repair, encapsulation or enclosure of ACM and providing related re-insulation services; the removal of lead-based paints, and the disposal of any generated waste materials. The cleanup of abandoned chemicals or PCBs is also a possibility.

The Contractor shall be prepared to respond to any emergency within three (3) hours. This response will require the Contractor to conduct short-term stabilization and full remediation, as directed.

C.2.4. Construction Activities: Construction activities may consist of new construction, upgrades to existing facilities and/or a combination of new construction and renovation in support of toxic material/waste investigations and/or remedial/corrective measures.

C.2.5. Demolition Activities: Activities in support of environmental investigations, and/or remedial/ corrective measures, may include, but are not limited to, the disassembly and disposal of buildings, structures, and associated facilities/utilities that may or may not be contaminated with toxic materials/wastes.

C.2.6. Closure Reports: As specified in the individual task orders, the Contractor shall collect, review and correct deficiencies on individual site closure reports from abatement contractors for each task order or site. The Contractor shall also prepare closure reports for its own abatement actions. For sites involving asbestos, the closure reports shall be suitable for inclusion in the school AMPs.

C.2.7. Oversight: The Contractor shall provide suitable personnel to oversee the work of abatement contractors. The personnel will ensure consistency with health and safety plans, work plans, designs, federal and state laws and guarantee all work meets acceptable levels of quality.

C.2.8. Investigations, Designs and Design Reviews: The Contractor shall conduct investigations on an as-needed basis to determine if materials commonly found in the DCPS are hazardous or contain hazardous materials or chemicals. The Contractor shall provide AHERA asbestos abatement designs on an as-needed basis. The Contractor may be asked to review designs by USACE personnel or representatives.

C.2.9. Administrative Support: The Contractor shall provide administrative support to the USACE program managers to manage the asbestos, lead-based paint and hazardous material program. This requires the development and maintenance of three electronic management tools: (i) The first tool will track the work in-progress and work orders that need to be completed. This information will be submitted on a daily basis to the Contracting Officer Representative(COR) and Asbestos Program Manager. (ii) The second tool will track the cost and performance of all abatement contractors and subcontractors. (iii) The third management tool will track all asbestos and lead-based paint closure reports from all subcontractors and abatement contractors. Example formats are located in Appendix A-D.

C.2.10. Industrial Hygienist: The Contractor shall provide an industrial hygienist to oversee asbestos abatement activity and review work plans on an as-needed basis. The Contractor shall be cognizant of conflict-of-interest issues.

C.2.11. Restoration: The Contractor shall be required to provide restoration services to restore previously abated materials. The Contractor shall provide oversight to ensure restoration activities are performed to quality standards.

C.2.12. Cost Estimating: The Contractor shall provide, as needed, independent estimates for cost, skilled and unskilled labor hours needed and estimated time to completion for task orders issued by USACE to other contractors. (These task orders are for abatement of hazardous substances in the DCPS.)

C.2.13. Asbestos-Trained Personnel: The Contractor shall provide AHERA-trained personnel to conduct all asbestos oversight, design and management requirements identified in this contract. The Contractor shall utilize trained asbestos abatement supervisors and workers licensed in the District of Columbia.

C.2.14. Hazardous Waste Personnel: The Contractor shall provide, as needed, personnel who have completed OSHA's 40-hour training program for hazardous waste available to conduct removal actions.

C.2.16. Lead-Based Paint Abatement: The Contractor shall be required to abate or encapsulate lead-based paint. The Contractor shall utilize trained lead-based paint supervisors and workers licensed in the District of Columbia.

C.2.17. Quality Control: The Contractor must maintain a daily safety log, workers certification log and entry log at all times and make these available to the USACE or USACE representative, if requested.

C.2.18. Quality Assurance: The Contractor and IH shall perform quality assurance on contractor fieldwork in accordance with the provisions of Engineering Regulation (ER) 1180-1-6. Quality assurance reports (QAR) will be prepared daily in accordance with ER 1180-1-16.

C.2.19. Final Inspections and Sampling: The Contractor may be tasked to conduct final inspections and sampling to confirm that final site conditions are acceptable or verify that results from other contractors reflect actual results.

C.3. GOVERNMENT FURNISHED INFORMATION:

The Contractor shall receive the available background information for applicable site(s). The Contractor shall use the information and information generated during the development of plans and procedures, conduct of operations, and development of reports and papers.

The Contractor shall not publicly disclose any information generated or reviewed under this contract without prior written approval of the Contracting Officer (KO) or authorized representative.

C.4. MANAGEMENT:

C.4.1. Program Management:

C.4.1.1. Program Manager: The Contractor shall identify to the KO an individual they intend to use as the Program Manager. Along with the identification should be a description of minimum qualifications the offeror believes is necessary to fill this position. Work to be executed under task orders issued under this contract shall be performed under the direction of the individual approved by the KO as the Program Manager.

The Program Manager shall oversee task accomplishment, administer all instructions, and answer all questions from the KO pertaining to the tasks during the life of the

contract. The Program Manager shall be responsible for the complete coordination of all work issued under this contract.

C.4.1.2. Program Management Reports, Documents and In-Progress Briefings: The Contractor shall prepare and submit or present information on the progress of work issued under this contract. At a frequency to be specified by the KO, the Contractor shall prepare and submit Status Reports, which shall at a minimum include project schedules, technical progress summaries, and cost performance data for each of the task orders issued.

The KO may request interim status reports or memos on issues of specific concern. The Contractor shall be required to brief the KO/COR on the contents of Status Reports, and address any questions that may be presented, to the satisfaction of the KO/COR.

C.4.1.3. Chains of Command: The contractor's Production Management chain of command, and the contractor's Health & Safety and Quality Management chains-of-command, shall not be mutually exclusive. Both the CQC and Safety Managers shall report directly to the field production manager (e.g. on site PM, superintendent, etc.) on site. Production management is defined as those entities directly responsible for daily "construction" efforts.

The contractors' health and safety personnel shall have the authority to take such steps as are necessary to ensure the health and welfare of all potentially affected individuals. The contractor's Health & Safety and Quality Control personnel shall report directly to the Program manager or a higher level who is not permanently assigned to the work site.

C.4.2. Task Order Management:

C.4.2.1. Task Order Manager: For each task order the Program Manager shall propose to the KO an individual who will serve as Task Order Manager. Along with this identification should be a description of minimum qualifications the offeror believes is necessary to fill this position.

Task Order Managers shall be responsible for task accomplishment, administering all instructions, and answering all questions from the KO/COR pertaining to work performed under applicable task orders. The Contractor shall provide a mechanism at the work site through which direction provided to the Contractor by the KO/COR can be effected at the time the direction is given.

C.4.2.2. Task Order Award Process and Negotiations: Work to be performed under this contract will be issued as task orders. SOWs and/or project designs/workplans will be attached to each task order.

Assumptions may be used by the Government and/or the Contractor as a basis of estimating the overall level of effort and the technical complexity and management

involvement needed to accomplish tasks. Assumptions will be based upon the best available knowledge at the time of SOW development; not on worst-case or best-case scenarios, but upon a reasonable set of expectations.

During the SOW development process, the Government may hold scoping meetings with contractors. The purpose of the meetings will be to provide contractors with a better understanding of scopes of work for upcoming task orders. The meetings also provide forums for both the Contractor and the Government to exchange information and discuss the feasibility of various technical remedies.

The negotiations between the Contractor and USACE representative will establish the work to be performed, personnel involved, equipment, direct costs, indirect costs and level of effort. When the COR and Contractor agree on a price and level of effort, the Contractor will be given a notice to proceed.

After award of the task orders, the Contractor shall develop Task Order Management Plans. Task Order Management Plans detail how the Contractor will control work. Plans should include a summary of the work to be performed, an outline of how the Contractor will manage the effort, individuals (e.g., site superintendent, SSHO, etc.) the Contractor is proposing work on the effort, a production schedule, subcontracting plan, and cost data.

C.4.2.3. Organization of Work: The Contractor may be required to prepare work plans for a SOW issued under a task order. The Contractor shall be expected to organize the activities from the SOWs for each task into Work Breakdown Structures (WBSs). It is recognized that each task order and site will be different; therefore, there will be differences between WBSs .

During scoping meetings with the Contractor, the Government will discuss with the Contractor the structure of the WBS. To facilitate proposal development and evaluation, the Government and the Contractor will agree upon a WBS to be utilized. The WBS for task orders will form the basis for the release and tracking of funding (see Work Authorization Documents section).

A sample WBS is provided below:

Work Element 1: Management
Work Element 2: Plans, Designs and Procedures Development
Work Element 3: Mobilization
Work Element 4: Field Work:
Work Element 4.a 1. On-site supervision
Work Element 4.b 2. Field work/final sample results if available
Work Element 4.c 3. Waste treatment/disposal
Work Element 5: Demobilization
Work Element 6: Technical Report/Final Report(aka Closure Report)/Task Order Close-Out

C.4.2.4. Individual Task Order Proposals: To facilitate the process of reviewing, negotiating, and awarding individual task orders, it is critical the Government be able to determine that the Contractor's understanding of what has to be done is, or is not, consistent with the Government concept of what has to be done. Further, for the Government to evaluate reasonableness, the Government must be able to define how the Contractor intends to conduct the work, what resources the Contractor is proposing to accomplish the work, and the duration of the effort. At a minimum, individual task proposals needs to include the following information:

C.4.2.4.1. Scope of Work Restatement: In the task order proposal, the Contractor shall provide a short synopsis of what they believe the Government is requesting the Contractor to accomplish in a task order work plan. The work plans need to identify all specified and implied tasks the Contractor intends to complete as part of this effort.

C.4.2.4.2. Discussion of Selected Technical Approach : The Contractor shall provide an explanation of the way it intends to get the work accomplished for each task order. The Contractor shall provide a WBS for the effort, which delineates the various tasks that need to be accomplished in order to complete the project as directed by the COR. [Must they follow the WBS shown above?]

As part of the discussion, the Contractor shall indicate what resources (direct labor and other direct costs (e.g., equipment, materials, subcontractor, travel)) are required to complete each task, how long each of the tasks is anticipated to take, and the interrelationships between the various tasks.

The Contractor shall identify any assumptions it has utilized. If applicable the Contractor may, as part of the technical approach discussion, delineate potential technical challenges and associated impacts. The Contractor may also include in the proposal alternatives to address those challenges.

C.4.2.4.3. Project Schedule: The Contractor shall provide a project schedule (Gantt Chart). Depending upon the complexity of the project, it may be advisable for the Contractor to include a network analysis (PERT chart) as part of the proposal. The items on the schedule shall be relatable to the WBS provided in the technical approach discussion.

C.4.2.4.4. Cost Data and Level of Effort: The Contractor may be asked to provide a detailed cost estimate of the effort for task orders prior to negotiations. The estimate shall be based upon the resources detailed in the SOW or work plans in the task order. The items in the cost estimate shall be parallel to each task or subtask in the task order. In this case, the Contractor shall provide a summary of the estimated level of effort and distribution of resources (indirect costs, direct labor and other direct costs (i.e., equipment, materials, subcontractor, travel).

C.4.2.4.5. Subcontracting Plans: The Contractor shall require KO/COR approval on any subcontracting plans. These plans need to include the subcontractor and a task description if the subcontractor is registered as a small business, 8(a) or hubzone company with the Small Business Administration.

C.4.2.4.6. Closure Report: The Contractor shall prepare a final closure report for each abatement task order in the DCPS Asbestos and Environmental Program completed in the period of performance of this contract. The Contractor can use the standard operating procedures in Appendix A and the format in Appendix B as a guideline.

C.4.2.5. Work Authorization Documents (WADs*):* Funding will be set aside (obligated) by the KO/COR when task orders are signed. Government-signed task orders (WADs) will permit the Contractor to begin work.

The Contractor shall not begin work on a work element without receiving an approved WAD for that work element from the KO/COR. The COR may shift funding between WADs, but only the KO has authority to commit the Government to changes.

C.4.2.6. Management Information Systems: The Contractor shall use an appropriate management information system (MIS) to generate required reports and monitor work. In its proposal, the Contractor shall identify and describe the system it intends to use for this contract. (See Section C.4.2)

C.4.2.7. Project Management Reports, Documents and In-Progress Briefings: For each task order issued under this contract, the Contractor shall be required to prepare and submit applicable project management documents, and provide briefing on the contents of these documents. Management documents to be prepared by the Contractor shall include, but may not be limited to, project schedules and periodic cost/performance reports.

All work to be performed under this contract shall be accomplished with adequate internal controls and review procedures, which shall eliminate conflicts, errors, and omissions and ensure the technical accuracy of all output. The number and frequency of reports and briefings shall be specified in the task orders.

The KO/COR may request interim reports or papers on issues of specific concern. The Contractor shall be required to brief the KO/COR, and address any questions that may be presented, to the satisfaction of the KO/COR.

C.4.2.8. Task Order Adjustments: If, during the course of operations, the Contractor believes work above and beyond the SOW is necessary, the Contractor shall inform the COR or KO. The KO and COR and the Contractor will conduct a joint review of the situation. If there is additional work, the COR and the Contractor will determine what adjustments to the SOW are necessary, and each will develop an estimate of the cost of the additional work. The COR and Contractor will negotiate a cost for the work, and the Contractor will be directed to proceed with the work called for in the revised scope.

The KO shall prepare a task order adjustment form and process it in the same manner as the original task order form.

C.5. ADMINISTRATIVE SUPPORT:

C.5.1. Work Order Log: A registered log of all work orders issued for abatement work, and the status of that work, will be maintained by the Contractor. Once a week a copy of the log shall be forwarded to the KO. Information maintained for each work order will include the following:

(i) Task Order Number
(ii) DCPS Facility
(iii) Start Date
(iv) Award Cost
(v) Task Order Adjustments
(vi) Adjustments to Award Costs
(vii) Estimated Costs
(viii) Actual Costs
(ix) Estimated End Date
(x) Actual End Date

The Contractor can use Appendix D as a guideline.

C.5.2. Cost and Performance Tracking: The Contractor shall prepare a monthly cost and performance report. The cost report will track actual cost per month; total cost to date; budgeted; estimate to completion; previous line-item estimate and new line-item estimate; and project name and variance for each delivery order and project. The performance report will track project location, status and description, stage of work: design, abatement, or restoration, percent complete and beginning and ending dates of project.

C.5.3. Closure Reports: The Contractor shall prepare and submit monthly a summary of all closure reports. The summary will list the start and finish date for every task order, description of activity, location, material removed, amount, description of restoration activity, contractor, industrial hygienist, final sample results, location of entry logs, and final disposition of waste. The closure reports will be completed within thirty (30) days of receiving the information from abatement contractors. The Contractor can use appendices A and B as a guide.

C.5.4. Work Orders: The Contractor shall prepare work orders for the USACE COR signature, as needed, on a daily basis.

C.6. REGULATORY REQUIREMENTS:

All work to be performed under this contract shall be conducted in full compliance with all applicable Federal, state and local laws, regulations and guidance. The Contractor

shall be knowledgeable of all applicable statutory or regulatory stipulations, and shall ensure that no exceptions with these requirements are made at any time. The Contractor shall assure that all activities performed by his personnel, subcontractors and suppliers are executed as required by these laws, regulations, and guidance.

C.6.1. Permits and Licenses: The Contractor shall obtain all applicable permits, licenses, authorizations and/or certificates, as required by applicable Federal, state and local laws and regulations, prior to the start of operations for which they are required. The Contractor shall ensure all permits, licenses, and/or certificates are valid at the time work is to be conducted. The DCPS will require all contractors to attend a DCPS training course prior to conducting work in the school system.

C.6.2. Incidents of Noncompliance: Any incident of noncompliance noted by the Contractor shall immediately be brought to the attention of the KO by written notice. Nothing in this contract shall relieve the Contractor of his responsibility to comply with these laws and regulations.

C.7. SAFETY AND HEALTH:

All work to be accomplished under this contract shall be conducted in strict accordance with all applicable Federal, state, and local laws, regulations and guidance; applicable USACE guide specifications; and in a manner which shall be protective of human health.

C.7.1. Regulatory Compliance: At no time shall the Contractor conduct, or allow others to conduct, activities that are in violation of Engineering Manual (EM) 385-1-92 and Engineering Regulation 385-1-1, Title 29 of the Code of Federal Regulations (CFR), and other applicable U.S. Department of the Army (DA), Occupational Safety and Health Administration (OSHA) National Institute of Occupational Health and Safety (NIOSH), U.S. Environmental Protection Agency (EPA), state, and local regulations and guidance.

C.7.2. Corporate Safety and Health Program: The Contractor shall have an ongoing Corporate Safety and Health Program which meets the requirements of OSHA standards set forth in 29 CFR 1910.120. An outline of the Contractor's corporate "SAFETY AND HEALTH PROGRAM" shall be submitted with its proposal. Overall responsibility for the development, implementation, and continued enforcement of the Contractor's Safety and Health Program and Site Safety and Health Plans (SSHP) lies with the Contractor.

C.7.3. Site Safety and Health Plan (SSHP): The Contractor shall prepare a written SSHP that complies with the tasks to be performed. One generic SSHP shall be sufficient for the work under the asbestos program. The Contractor shall be directed to prepare SSHPs, as needed, for work under this contract that is not included in the generic SSHP. Acceptance of the Contractor's SSHP is required prior to the start of field activities. Acceptance is conditional and will be predicated on satisfactory performance

during field activities. No change in the accepted plan shall be implemented without written concurrence by the KO/COR. The Government reserves the right to require the Contractor to make changes in its SSHP and operations as necessary to assure the safety and health of all persons on or near the site.

C.7.4. Personnel:

C.7.4.1. Certified Industrial Hygienist (CIH): The Contractor shall provide the services of an experienced Certified Industrial Hygienist (CIH) to implement and oversee the Safety and Health Program and to develop, implement and sign all SSHPs. In its proposal, the Contractor shall identify the minimum qualifications for a CIH and how the offeror intends to perform/acquire this service. The contractor will provide the name, address, telephone number, and resume of the Designated CIH selected to direct air monitoring. The IH will be a person who is board certified in comprehensive or specialized practice of industrial hygiene, as determined and documented by the American Board of Industrial Hygiene (ABIH). The CIH shall also possess a minimum of 2 years of experience in air monitoring for asbestos abatement activities and is licensed by the District of Columbia as required. Copies of resumes, certifications and licenses will be included in the work plan. The IH will be completely independent of the Abatement Contractor and will not be an employee or principal of a firm that would constitute a business relationship that would not be considered independent according to federal, state, or local regulations. A copy of the Designated IH's current valid ABIH Certification will be included.

Any changes to the established Safety and Health Program or SSHP shall be at the direction and approval of the CIH, with acceptance by the KO/COR. The CIH will not necessarily be required to be on-site during remedial activities, but shall be readily available for consultation when required.

C.7.4.2. Asbestos Oversight Personnel: The Contractor shall provide personnel, as needed, to oversee asbestos abatement projects. These personnel will have EPA AHERA certifications. Personnel overseeing abatement activities shall have AHERA supervisor accreditation. The asbestos oversight personnel will conduct random/periodic inspections, as necessary, to ensure that abatement activities comply with the identified task orders. Personnel will be required to conduct precommencement meetings, review scopes of work with the Contractor and provide inspections during abatement activities and at the end of the project to ensure all activities comply with the task order.

C.7.4.3. Lead-Based Paint Oversight Personnel: The Contractor shall provide personnel, as needed, to oversee lead-based paint abatement projects. These people shall have lead supervisor and project designer certification.

C.7.4.4. Site Safety and Health Officer (SSHO): The Contractor shall utilize a trained and experienced Site Safety and Health Officer (SSHO) to assist and represent the CIH in the continued implementation and enforcement of the approved SSHP. An SSHO

shall be assigned to each task during work activities on an as-needed time basis, and shall be either a Contractor employee or a subcontractor who reports to the Contractor and the CIH in matters pertaining to site safety and health. The SSHO shall conduct random and or periodic inspections, as necessary, to ensure that abatement activities comply with Federal and local regulations.

The SSHO shall have the on-site responsibility and authority to modify and/or halt work, or remove personnel from the site if anyone is placed at unacceptable health risks from site conditions. The SSHO shall contact the KO or COR immediately following and work stoppages due to safety concerns. The SSHO shall be the main Contractor contact for any on-site emergency situation.

C.7.4.5. Health and Safety Technicians: The Contractor shall provide trained and experienced technicians, as necessary, to support field operations. These individuals shall work under the direction of the CIH and/or applicable SSHO.

C.7.4.6. Industrial Hygienist: If so directed by the KO or his/her designated representative, the Contractor shall provide the services of industrial hygienists to provide air monitoring and quality assurance of field operations.

C.7.4.7. Construction/Design Personnel: The Contractor shall provide personnel trained and experienced in asbestos abatement to develop and review designs and contractor work plans. Personnel conducting investigations and remedial design shall have AHERA Building Inspector and Project Designer accreditation.

C.8. ANALYTICAL REQUIREMENTS AND DATA QUALITY MANAGEMENT:

C.8.1. Personnel: In its proposal, the Contractor shall recommend an individual to the KO to serve as Quality Control Coordinator (QCC). Once approved by the KO, the QCC shall be responsible for overall quality control/data management operations associated with the conduct of work performed under this contract.

C.8.2. Laboratory Certification: For laboratory work other than asbestos, the Contractor shall sub-contract with one or more labs that have been certified by the USACE Missouri River Division (MRD) for environmental analyses for toxic materials using standard methods. The proposed lab(s) shall be identified in the contractor‘s proposal if the Contractor intends to subcontract analytical work.
Before sampling work on a cleanup project can begin, it may be necessary that the laboratories be validated by MRD and approved by the appropriate state regulatory agency, if required. The MRD validation will include an analysis of an audit sample(s), on-site lab inspection and approval of the Laboratory Quality Management Plan (LQMP).

C.8.3. Laboratory and laboratory Analysis Qualifications. The qualifications and organization report will provide the name, address, and telephone number of each testing laboratory selected to perform the sample analyses and report the results. The

laboratory selected will conduct phase contrast microscopy (PCM) of airborne samples using the methods specified by NIOSH Method 7400 with optional confirmation of results by transmission electron microscopy (TEM) using methods specified by NIOSH Method 7402 and TEM Mandatory method of airborne samples using the methods specified by 40 CFR Part 763. Written verification of the following criteria, signed by the testing laboratory principal and the Contractor will be included.

(1) Data indicating the laboratory is currently in the Industrial Hygiene Laborat ory Accreditation Program administered by American Industrial Hygiene Association (AIHA) and judged proficient (classified as acceptable) in counting airborne asbestos samples by phase contrast microscopy (PCM) by successful participation in each of the last four rounds in the AIHA Proficiency Analytical Testing (PAT) Program.

(2) The name of each selected microscopist who will analyze airborne samples by PCM with substantiating verification that such analyst possesses the demonstrated proficiency to conduct PCM analysis by being judged proficient in counting samples as a current participating analyst in the AIHA PAT Program, by being listed in the AIHA Asbestos Analysts Registry, and by having successfully completed the Asbestos Sampling and Analysis course (NIOSH 582 or equivalent; a copy of course completion certificate is required).

(3) The laboratory is fully equipped and each analyst possesses demonstrated proficiency to confirm NIOSH Method 7400 PCM sample analysis results from the same filter by conducting NIOSH Method 7402 TEM Analysis.

(4) The laboratory is fully equipped to conduct TEM analysis of airborne samples using the mandatory method specified by 40 CFR Part 763, the laboratory is currently accredited by the National Institute of Standards and Technology (NIST) under the National Voluntary Laboratory Accreditation Program (NVLAP) for airborne sample analysis of asbestos by TEM, and the laboratory will use analyst(s) (provide name(s)) that are currently evaluated as competent with demonstrated proficiency under the NIST NVLAP for airborne sample analysis of asbestos by TEM.

C.8.3.1. Analytical Methods: Analytical methods used for asbestos, lead or PCBs shall be approved by the U.S. EPA/OSHA, NIOSH, and the American Society for Testing and Materials (ASTM) for air, bulk and dust samples.

C.8.3.2. Standard Capabilities for Asbestos and Confined Entry: The Contractor shall have, as a minimum, the standards, equipment, and knowledge to use asbestos air and bulk sampling equipment. The Contractor shall also have equipment to measure air quality before entry into confined spaces, such as combustible gas/oxygen meters. Other field testing devices shall be readily available for use for project specific needs.

C.8.3.3. On-Site Analysis for Asbestos: The Contractor shall be capable of conducting on-site analysis of asbestos air samples by Phase Contrast Microscopy

(PCM). Only analysts listed in the Asbestos Analysts Registry (AAR) administered by the AIHA shall perform on-site analysis.

C.8.4. Submittals:

C.8.4.1. Award Submittals: Within seven (7) days of award, the Contractor shall submit the laboratory(ies) certification, key personnel, CDAP, quality assurance plans and task order management plans for the USACE approval and/or comments. All comments will be corrected within 14 business days. The Contractor shall also provide a description of the personnel, hardware, software and schedule for implementing the administrative portion of the SOW.

C.8.4.2. Laboratory Certification: The Contractor shall provide copies of the laboratory certifications.

C.8.4.3. Personnel: The Contractor shall provide the biographies, qualifications, certifications and licenses for all personnel assigned to the contract. The KO/COR has the right to reject any proposed personnel based on lack of qualifications and experience. Personnel assigned to this project should have a minimum of one year of experience relating to work identified in this contract.

C.8.4.4. Business Licenses: The Contractor shall provide copies of all business licenses for contractors involved in this contract.

C.8.4.5. Site Specific Safety Plan: The Contractor shall develop and provide SSHP as directed in task orders. An acceptable accident prevention plan, written by the Contractor for the specific work and implementing in detail the pertinent requirements of EM 385-1-1, shall be submitted for Government approval.

C.8.4.6. Contractor Quality Control (CQC) Plan: The Contractor shall provide and maintain an effective quality control program. The Contractor's Quality Control Program, through inspection and reporting, shall demonstrate and document the extent of compliance of all work with the standards and quality established by the contract document. The burden of proof of contract compliance is placed on the Contractor and not assumed by the Government. The Contractor's quality control will not be accepted without question. The Contractor's quality control program shall include daily inspections and provide for a daily report of CQC activity.

C.8.4.7. Chemical Data Acquisition Plan (CDAP): The Contractor shall be required to prepare and submit a CDAP. The CDAP will include sample handling and sample collection procedures and implementation of chemical quality and integrity management for each project. The CDAP will be accepted by the KO/COR prior to the start of sample collection. For quality, the Contractor shall establish how it will establish that actual laboratory findings reflect the real level of contaminant and for integrity, the Contractor shall establish how it will manage and organize the information.

C.9. SECURITY:

The Contractor shall provide appropriate site security; however, as a minimum, the Contractor shall maintain the site and all other Contractor-controlled areas to minimize the risk of injury or accident to site personnel or others who may be in the area. When work is performed at a Federal, state, or local installation or facility, the Contractor shall comply with all security requirements of that installation or facility.

C.10. MODIFICATIONS:

Modifications to this SOW can be made by the KO in conjunction with the USACE COR.

Appendix A. DCPS SOP for Closure Reports

(12/29/01)

Table of Contents

Standard Operating Procedures (SOPs)

The regulations and industry accepted practices associated with asbestos abatement activities stipulate training, recordkeeping, and process requirements. This SOP is intended to standardize the methods for collecting and recording compliance with those requirements when conducting asbestos abatement activities in DC Public School buildings.

1.0 Closure Reports

Report Writing – There are three (3) parts to each closure report:

- DCPS Facility Abatement Summary Spreadsheet (Appendix A)
- AHERA Summary Spreadsheet (Appendix A)
- Supporting Documentation

1.1 DCPS Facility Abatement Summary Spreadsheet

The DCPS Facility Abatement Summary Spreadsheet gives an overall summary of abatement conducted for a specific job. There are seventeen (17) fields into which information is entered. If utilized, the "Asbestos Abatement Removal / Repair Form" (included in this packet), would supply most of the information needed for the report. Each of the fields in which information is entered and explanation of how the information is derived follows:

- Completed Date
  Enter the date that this summary form is completed.
- School Name
  Enter the name of the school with its suffix (**ES** (Elementary School), **MS** (Middle School), **JHS** (Junior High School), and **SHS** (Senior High School).
- School #
  Enter the school number taken from the listing by DCPS.
- Job Code
  Enter the tracking number found on the design / scope of work. If there is not a tracking number, enter the **AMP** (Asbestos Management Plan) room and your company name. (Example: Boiler Room – XYZ Inc.)

Information, **AMP,** and floor plans for each school are found on the EA Engineering web site (www.dcps.eaest.com).

- Start / Finish Date
  Enter the date the job started and finished. The date of the first field report is the start date, and the date of the last field report is the finish date.

- Description of Activity
  Enter a concise summary of the design. The design / scope of work is of the work yet to be completed, therefore, is in present tense. If the information is taken directly from the design / scope of work, a note that the design / scope of work was conducted in accordance with the work plan is included with the spreadsheet. Provide a concise summary of the work, including the following:
  A. Actual process / method used to remove the contaminated material (if no method is given, enter "using proper methods")

  B. General description of the material abated (Example: pipe insulation, floor tile, mastic, etc.)

  C. Cleaning methods

  D. Statement of protective methods / equipment used

  Do not include the location or amount of Asbestos Containing Material (ACM) removed.

For the following next five (5) fields, information should be available in the design and field documentation. If the information needed is not available in the design and field documentation, refer to the school's AMP found at the following EA Engineering web site (www.dcps.eaest.com).

- Floor #
  From the AMP enter the floor or level within the school that the ACM was removed.

- AMP #
  The school's Asbestos Management Plan (AMP) number must be entered. In addition, enter the room number listed in the school's Asbestos Management Plan (AMP). If a room number is not cited in the design or AMP, enter N/A (Not Available) in the field.

- Facility Room #
  Enter the room number that is given at the school. You will have to determine this based on the information given in the design and field

documentation. If the facility room number is not cited in the design or field documentation, enter N/A in the field.

- HA #
  From the AMP enter the Homogeneous Area (HA) number for the material abated. Each type of ACM removed should have a HA designation. If the HA number is not cited in the AMP enter N/A in the field.

- Material Description
  Enter the description of the material abated. Each type of material removed will have a description that must be entered for items abated. Enter "(all)" or "(partial)" for each material abated.

  *Note: Entries for Floor #, AMP #, Facility Room #, and HA Material Description should be horizontally aligned. Use Alt Enter to align text.

- Amount of ACM Removed
  Enter the amount of ACM removed from the school for the job. Do not include materials disposed of during the abatement process, only actual ACM material removed. Materials are measured in Square Feet (SF), Linear Feet (LF), or Cubic Feet (CF).

- Repair
  This column is split on the electronic version. In the first column enter the amount of material repaired. In the second column, enter the measurement (SF, LF, and CF).

- Contractor Information
  This field is split to include the Industrial Hygienist (IH) contractor and the Abatement Contractor (Abatement) information. Enter the appropriate contractor's name and address in the field after the designated heading noted above. A solid line should separate the IH and Abatement contractor's information.

- Sample Collection and Analysis
  Enter only final clearance sampling or bulk sampling information in these fields. The sampling results are found in the field documentation from the IH.

  Final clearance sampling is conducted one (1) of two (2) ways:
  - PCM – Phase Contrast Microscopy – NIOSH 7400
  - TEM – Transmission Electron Microscopy – NIOSH 7404

Bulk sampling is conducted only when authorized by the owner or the owner representative and is noted as:

- PLM – Polarized Light Microscopy – EPA 600 / R-93 / 116

Clearance sampling is identified in the field documentation on the sampling record completed by the IH. The record should have PCM / TEM or 7400 / 7404 respectively, labeled on the field sampling record to identify which testing method is used. TEM / 7404 should have a laboratory analysis sheet included with the field documentation.

The information required by this field:

- Sample Date – Date the clearance sampling was conducted as recorded on the clearance sampling field record.
- Type – type of sample (PCM / TEM)
- Approved Laboratory – Enter the following:
  - A. For PCM samples analyzed on site – Name and Address of the IH who collected and analyzed the samples
  - B. For TEM and PLM samples – Laboratory which analyzed the samples, entering the name , address, NVLAP Code and Expiration date
  - C. When only working samples are conducted, merge the three (3) cells (date, type and approved laboratory) and enter: “No final air samples required”

- Workers and Signatures
  Enter the following statement when removal activities are conducted: “See Contractor Worker Certification Log”

- Waste Disposal / Storage Site
  Enter the name and physical location of the waste disposal site when removal activity is conducted. This information is found on the Waste Manifest in the field documentation. If it is not available, call the Abatement Contractor and ask them what disposal site was used for the specific job and request a completed Waste Manifest.

- Formatting Guidelines
  The following formatting on the DCPS Facility Abatement Summary Spreadsheet will be universal:
  A. The heading (title, school, and school number) will repeat on multiple pages for the same school.
  B. The column titles will repeat on multiple pages for the same school.
  C. The page number will show subsequent pagination on multiple pages for the same school.
  D. The entire spreadsheet is landscape
  E. Margins are top (1.00), bottom (0.5), left / right (0.5), header / footer (0.5)

F. IH contractor information is entered before Abatement contractor information, headings for each are bold
G. Material descriptions are in lower case

1.2 AHERA Summary Spreadsheet

The AHERA Summary Spreadsheet summarizes the recordkeeping requirements outlined by the AHERA guidelines as stated in the CFR 763.94 b. The spreadsheet is the second sheet in the Summary spreadsheet template / school report. The school name and school # are entered as on the AHERA Summary Spreadsheet.

The following explains the entry for each field on the spreadsheet:

- Job Code
  Enter the corresponding code found on the DCPS Facility Abatement Summary Spreadsheet

  Each of the following fields are completed with **C** – complete (all required supporting documentation is complete and included), **NC** – not complete (all required documentation is not complete or included), or **N/A** – not applicable (does not apply to this job).

- Dates of Work (if applicable)
  The dates of work are correct and completed on the DCPS Facility Abatement Summary Spreadsheet.

- Work Plan (if applicable)
  The design is included in the report packet.

- Name and Address of Contractors (if applicable)
  The name and address of the abatement contractor is noted on the DCPS Facility Abatement Summary Spreadsheet.

- Worker Signatures (if applicable)
  All of the abatement worker signatures are on the Contractor Worker Certification Log (or noted to be on a sign in log) and the appropriate log/s is attached.

- Worker Certifications (if applicable)
  All of the abatement worker certifications, including medical examination documentation, fit testing certifications, and up to date training certifications are listed on the Contractor Worker Certification Log and log is attached.

- IH Signature (if applicable)

The IH signature is required in reference to the field samples collected.

- Final Clearance Results (if applicable)
  The results of field samples collected and analyzed are attached (PCM/TEM/PLM) and the Laboratory analysis is attached.
  * Note: PLM is an analytical method for bulk samples and not intended for analysis of air clearance samples of any sort.

- Lab Address and Accreditation (if applicable)
  The address, NVLAP code and expiration date, are noted on the summary spreadsheet.

- Lab Analyst Signature (if applicable)
  The lab analyst signature is on the laboratory results sheet.

- Waste Storage / Disposal Site
  The physical address is listed on the DCPS Facility Abatement Summary Spreadsheet.

1.3 Supporting Documentation

The following list of documents comprise the supporting documentation needed for the final closure report and spreadsheets are printed and added to this documentation in the following order:

- DCPS Facility Abatement Summary Spreadsheet
- AHERA Summary Spreadsheet

  Each line item on the spreadsheet will have the following (when applicable):

  - Design/ Scope of Work
  - Final Clearance Samples (Field and Lab results)
  - Contractor Worker Certification Log (Sign–in logs if necessary)

All of the information is copied and assembled with the printout of the DCPS Facility Abatement Summary Spreadsheet and the AHERA Summary Spreadsheet for submission to USACE and EA Engineering.

1.4 Submission

Submission of the closure reports has two (2) formats: Full and Partial Reports.

- Full Report – consists of the documentation listed in Supporting Documentation (Section 1.3)

- Partial Report – consists of DCPS Facility Abatement Summary Spreadsheet, AHERA Summary Spreadsheet, and Final Clearance Samples (if applicable)

USACE will receive both reports (Full and Partial Reports). The Full Report is for their use and the Partial Report is submitted to EA Engineering for incorporation into the AMP.

1.5 Reference

Environmental Protection Agency, Federal Register Part III, 40 CFR Part 763, October 30, 1987, pages 378 and 379.

1.6 Acronyms

- ACM – Asbestos Containing Material
- AHERA – Asbestos Hazard Emergency Response Act
- AMP – Asbestos Management Plan
- C – Complete
- CF – Cubic Feet
- CFR – Code of Federal Regulations
- EPA – Environmental Protection Agency
- ES – Elementary School
- HA – Homogeneous Area
- IH – Industrial Hygienist
- JHS – Junior High School
- LF – Linear Feet
- MS – Middle School
- N/A – Not Available or Not Applicable
- NC – Not Complete

- NIOSH – National Institute for Occupational Safety and Health
- NVLAP – National Voluntary Laboratory Accreditation Program
- PCM – Phase Contrast Microscopy
- PLM - Polarized Light Microscopy
- SF – Square Feet
- SHS – Senior High School
- SOP – Standard Operating Procedures
- TEM - Transmission Electron Microscopy
- USACE – United States Army Corps of Engineers